



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Albert P. Pisano et al.

Attorney Docket No.: UCALP026

Application No.: 09/961,079

Examiner: Michael Thompson

Filed: September 20, 2001

Group: 3763

**Title: A METHOD OF INTERVENTIONAL  
SURGERY**

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on 3/16/04 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: Valerie Olsen

Valerie Olsen

**TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) and 1.321(b)  
TO OBVIATE AN OBVIOUSNESS-TYPE  
DOUBLE PATENTING REJECTION**

Commissioner for Patents  
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Sir:

TECHNOLOGY CENTER R3700

Pursuant to 37 CFR §3.73(b), The Regents of the University Of California, a California corporation, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of:

An assignment from the inventors of the subject patent application no. 09/961,079. The assignment was recorded in the Patent and Trademark Office at Reel 012594, Frame 0656 on February 8, 2002.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent No. 6,547,803. Further, any patent granted on the above identified application shall be

enforceable only for and during such period that said patent is commonly owned with U.S. Patent No. 6,547,803.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,547,803 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Enclosed is Check No. 8742 in the amount of \$55.00 to cover the disclaimer fee. If the required fees are not enclosed or additional fees are required to facilitate filing of this paper, please charge such fees or credit any overpayment to Deposit Account No. 500388 (Order No. UCALP026).

Date: 3/8/09

*Carol Mimura*

Carol Mimura

Title: Director  
Office of Technology Licensing  
University of California, Berkeley